

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL NO. 1:12-CV-00967**

RF MICRO DEVICES, INC.,

Plaintiff,

v.

JIMMY S. XIANG, XIAOHANG DU,
FENG WANG and VANCHIP
TECHNOLOGIES LTD.,

Defendants.

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**NOTICE OF INTENT TO OPPOSE
PLAINTIFF'S EX PARTE MOTION
FOR ORDER OF ATTACHMENT**

COME NOW Defendants Jimmy S. Xiang ("Xiang") and Xiaohang Du ("Du"), and submit this Notice of Intent to Oppose Plaintiff RF Micro Devices, Inc.'s ("RF Micro") Ex Parte Motion for Order of Attachment. In support hereof, Defendants show the Court the following:

1. RF Micro initiated this action and filed its Ex Parte Motion for Order of Attachment on August 24, 2012. Defendants were not given prior notice of either the lawsuit or the motion.

2. Neither Xiang nor Du has been served with process in this action. Regardless, undersigned counsel have been retained as of August 28, 2012, to represent all Defendants in this matter.

3. Plaintiff's motion seeks attachment against certain property of Xiang and Du. Xiang and Du intend to oppose Plaintiff's Ex Parte Motion for Order of Attachment on the following grounds:

- a. Xiang and Du hold residency in North Carolina;
- b. The property identified by Plaintiff is not appropriately subject to attachment; and
- c. Even were attachment to issue, the amount of the bond proposed by Plaintiff is insufficient.

4. Defendants are currently travelling, but are scheduled to meet with counsel on August 31, 2012. Counsel for Defendants therefore need additional time to confer with Defendants, investigate the facts, and finalize the bases of their opposition.

5. Defendants intend to file their Brief in Opposition to Plaintiff's Ex Parte Motion for Order of Attachment by September 7, 2012, unless a different deadline is set by the Court. This date is well in advance of the usual 21 day deadline to respond to motions under L.R. 7.3(f), especially where neither Xiang nor Du have been served with Plaintiff's motion, much less the Summons and Complaint.

6. Defendants may also oppose Plaintiff's Motion for Expedited Discovery concurrently with their opposition to Plaintiff's motion for attachment.

Respectfully submitted, this the 29th day of August, 2012.

/s/ David W. Sar
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on this date, I served the foregoing **NOTICE OF INTENT TO OPPOSE PLAINTIFF'S EX PARTE MOTION FOR ORDER OF ATTACHMENT** with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following parties:

John F. Morrow, Jr.
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Attorneys for Plaintiff

and via U.S. Mail, postage prepaid and addressed as follows:

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Attorneys for Plaintiff

This the 29th day of August, 2012.

/s/ Joseph A. Ponzi
Joseph A. Ponzi